

PROVIDING FOR CONSIDERATION OF H.R. 5006, DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS ACT, 2005

SEPTEMBER 7, 2004.—Referred to the House Calendar and ordered to be printed

Ms. PRYCE of Ohio, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 754]

The Committee on Rules, having had under consideration House Resolution 754, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 5006, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for fiscal year 2005, under an open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record.

Finally, the rule provides one motion to recommit with or without instructions.

The waiver of all points of order against consideration of the bill includes a waiver of clause 4(a) of rule XIII (requiring a three-day availability of the committee report). The waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) is needed because there are numerous legislative provisions included in the bill.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 314

Date: September 7, 2004.

Measure: H.R. 5006, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005.

Motion by: Mr. McGovern.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Obey, which adds \$7.4 billion for education, workforce training, and to provide assistance to those without health care insurance. The amendment is offset by reducing the tax cuts only in 2005, and only for taxpayers with incomes over \$1 million, from an average tax cut of \$127,000 to \$89,000.

Results: Defeated 2 to 6.

Vote by Members: Pryce—nay; Diaz-Balart—nay; Hastings (WA)—nay; Myrick—nay; Reynolds—nay; McGovern—yea; Hastings (FL)—yea; Dreier—nay.